

citizens of Harrison county asking the Legislature to fix a just basis of settlement between the owners of surface lands in the vicinity of Caddo oil field and the State whereby the Land Commissioner may be authorized to dispose of the mineral rights in order that development of Marion and Harrison counties might proceed.

By Senator McNealus:

Petition numerously signed by citizens of his district favoring the enactment of the Coffey bill No. 28.

By Senators Murray and Real:

Petition numerously signed by citizens of their respective districts urging the enactment of the following Farmers' Union measures:

House bill No. 99 and Senate bill No. 23.

House bill No. 32 and Senate bill No. 46.

House bill No. 124 and Senate bill No. 82.

By Lieutenant Governor Davidson:

Telegram from Texas Hardware Jobbers' Association, in session at Houston, expressing unanimous endorsement of House bill 77, in reference to sale of pistols, and condemning Cable bill in reference to venue.

By Senator Murray:

Petition numerously signed by engineers of his district seeking support of the Legislature in having the Senate Committee on Postoffice and Post Roads of Congress to report House Resolution bill No. 22239 to the Senate for action.

By Senator Ratliff:

Petition numerously signed by citizens of his district requesting support of the Terrell amendment to the I. & G. N. bill.

TWENTY-FIFTH DAY.

Senate Chamber,
Austin, Texas.

Friday, Feb. 17, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.
Astin.

Bryan.
Carter.

Cofer.
Collins.
Greer.
Hudspeth.
Hume.
Johnson.
Kauffman.
Lattimore.
Mayfield.
McNealus.
Meachum.
Murray.
Paulus.
Peeler.

Perkins.
Ratliff.
Real.
Sturgeon.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.
Willacy.

Prayer by Dr. Geo. Butler of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

REGULAR ORDER.

The Chair called the regular order of business. (See Appendix for committee reports and petitions and memorials.)

(Senator Willacy in the chair.)

FREE CONFERENCE COMMITTEE.

Senator Cofer offered the following:

Mr. President: I move that the Senate refuse to concur in the amendments made by the House to Senate Bill No. 36 and that the Senate request the House to grant a free conference between the Senate and House on said bill and that the following be elected as the Free Conference Committee on the part of the Senate:

Senators Sturgeon, Vaughan, Meachum, Ward and Peeler.

Senator Ratliff moved the previous question on the motion, which motion being duly seconded, was so ordered.

The above motion was adopted.

SIMPLE RESOLUTION.

By Senator Warren (by unanimous consent):

Resolved, That whereas, Hon. James Young, member of Congress from the Third District of Texas, is now at the bar of the Senate chamber, that the privileges of the floor be given him and that he be invited to address the Senate at this time.

The above resolution was read and adopted.

The Chair, Senator Willacy, appointed Senators Warren, Mayfield and Greer to escort Congressman-elect Young to the President's stand. Mr. Young was introduced to the Senate and made a brief address.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 17, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has appointed the following committee on part of the House on the Roosevelt reception: Messrs. Cureton, Standifer, Buffington and Biersch-wale.

Also grants the request of the Senate for a Free Conference Committee on Senate Concurrent Resolution No. 13 and the following has been appointed on part of the House: Messrs. Nickels of Hill, Kennedy, Hill, Tar-ver and Rogers.

Does not concur in Senate amendments to House bill No. 2, and requests the appointment of a Free Conference Committee. The following has been appointed on part of the House: Messrs. Turney, Smith of Atascosa, Rucks, Hamilton of Childress and Dunn.

Respectfully,
BOB BARKER,
Chief Clerk House of Representatives.

EXCUSED.

On account of important business:
Senator Sturgeon for non-attendance from February 4th until yesterday, February 16th, on motion of Senator Weinert.

SIMPLE RESOLUTION.

By Senator Kauffman:

Whereas, Major Geo. P. Howell of the Engineering Corps of United States, who is in charge of the Texas coast, is in the building,

Be it Resolved, That he be invited to address the Senate.

The above resolution was read and adopted.

The Chair appointed Senators Kauffman, Murray and Lattimore to escort Major Howell to the President's stand, who, after being introduced to the Senate, made a brief address.

BILLS AND RESOLUTIONS

By Senators Vaughan and Watson:

Senate bill No. 269, A bill to be entitled "An Act to prohibit the introduction in evidence in any case, testimony divulging what shall have been testified to by any witness before a grand jury, except in criminal prosecutions for perjury in which such testimony given before such grand jury is made the basis of such charge of perjury."

Read first time and referred to Judiciary Committee No. 1.

By Senator Sturgeon:

Senate bill No. 270, A bill to be entitled "An Act to provide for the furnishing of parties, or their attorneys of record, with copies of opinions rendered and filed in all the Appellate Courts of the State of Texas, without cost, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator McNealus:

Senate bill No. 271, A bill to be entitled "An Act to prohibit foreign corporations from hereafter acquiring by purchase or otherwise any easement or ownership or other interest in any land or in any street, alley or public highway in this State for right of way purposes, for operating, constructing, maintaining or extending any telephone line or system, and making void any and all such grants and sales hereafter made by any person, firm, corporation, town, county, village, city or municipality."

Read first time and referred to Committee on Internal Improvements.

By Senator McNealus:

Senate bill No. 272, A bill to be entitled "An Act to prohibit foreign corporations from hereafter acquiring by purchase or otherwise any easement or ownership or other interest in any land or in any street, alley or public highway in this State for right of way purposes, for operating, constructing, maintaining or extending any telephone line or system, or for operating, constructing, maintaining, or extending any street car, interurban car system, or for operating, constructing, maintaining or extending any heating, light or power system, and making void any and all

such grants and sales hereafter made by any person, firm, corporation, town, county, village, city or municipality."

Read first time and referred to Committee on Internal Improvements.

By Senator McNealus:

Senate bill No. 273, A bill to be entitled "An Act to amend Subdivision 10 of Article 642 of the Revised Statutes of Texas (1895), relating to the purposes for which corporations may be created, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Lattimore:

Senate bill No. 274, A bill to be entitled "An Act to amend Section 10 of Chapter 30 of the General Laws of the State of Texas, passed by the Thirty-first Legislature (1909), at its Regular Session, approved April 21, 1909, relating to the Texas State Board of Health and Vital Statistics, and to repeal Section 11 of said chapter; providing a penalty for violation of this Act, and declaring an emergency."

Read first time and referred to Committee on Public Health.

Morning call concluded.

(By unanimous consent after the morning call was concluded.)

By Senators Meachum, Willacy, Hudspeth and Ward:

Senate bill No. 275, A bill to provide for the establishment and maintenance of a home for the indigent wives and widows of disabled Confederate soldiers and sailors who entered the Confederate service for Texas, or who came to Texas prior to January 1, 1880, and who are over sixty years of age, whose husband's disability is the proximate result of service in the Confederate Army for a period of at least three months, and also for women who aided in the Confederacy, to authorize the appointment of a Board of Managers for said home, and to prescribe their powers and duties, to make an appropriation for the purpose of establishing said home, and for its maintenance and support, and declaring an emergency."

Read first time and referred to Committee on Finance.

SENATE BILL NO. 204.

Special order being Senate bill No. 41, the same was read, and

Senator Mayfield moved that the special order of business (Senate bill No. 41) be suspended, and the Senate take up, out of its order, Senate bill No. 204.

Senator Watson made the point of order that Senate bill No. 41 was not the special order for this hour, as the time it was set for had passed and that the special order set for today should be considered and at the conclusion of the consideration of that bill Senate bill No. 41 would then become the special order, quoting Senate rule No. 12.

The Chair (Senator Willacy) sustained the point or order, holding that, under rule 12, Senate bill No. 132 would become the pending business, as a "Special order," the said special order having been made with the knowledge of this special order before it.

Senator Mayfield then moved that the special order of business (Senate bill No. 132) be suspended, and the Senate take up, out of its order, Senate bill No. 204.

The motion prevailed by the following vote:

Yeas—26.

Adams.	Meachum.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.

Absent.

Hudspeth.	Terrell, McLennan.
Murray.	Ward.
Real.	

The Chair laid before the Senate on second reading,

Senate bill No. 204, A bill to be entitled "An Act to prohibit the sale of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication (in any locality in this State other than where local

option is in force) in quantities of less than one quart and prescribing penalties for the violation thereof, and declaring an emergency."

The question being on the committee report, there being an adverse majority committee report and a favorable minority committee report.

Senator Mayfield moved that the bill be made a special order for Friday morning, February 24, after the conclusion of the morning call.

Senator Watson moved, as a substitute, that the bill be made a special order for tomorrow morning after the morning call.

On motion of Senator Cofer the substitute motion was tabled by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Willacy.
Peeler.	

Nays—7.

Adams.	Paulus.
Hume.	Watson.
Kauffman.	Weinert.
Meachum.	

Absent.

Hudspeth.	Real.
Murray.	

Pending delay Senator Mayfield withdrew his motion to make the bill a special order.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 17, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House bill No. 142 and request the appointment of a Free Conference Committee. The following has been appointed on part of the House: Messrs. Humphrey, Lee, Singleton, Hamilton of Childress and Crisp.

Concurs in Senate amendments to House bill No. 76 by the following vote: Yeas 110, nays 0.

Concurs in Senate amendments to House bill No. 326, by the following vote: Yeas 94, nays 0.

Also grants the request of the Senate for a Free Conference Committee on Senate bill No. 36, and the following has been appointed on part of the House: Messrs. Kennedy, Hill, Caves, Brown and Woods.

Respectfully,
BOB BARKER,
Chief Clerk House of Representatives.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 17, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 88, A bill to be entitled "An Act to provide for the location and establishment and maintenance of a State Sanitarium for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives and making an appropriation therefor and declaring an emergency."

Also concurs in Senate amendments to House Concurrent Resolution No. 8 and the following committee has been appointed on part of the House: Messrs. German, Cureton, Nickels of Hill and Caves.

Respectfully,
BOB BARKER,
Chief Clerk House of Representatives.

RECESS.

Here Senator Cofer moved that the Senate recess until 2:30 o'clock today.

The motion prevailed by the following vote:

Yeas—25.

Adams.	Meachum.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Johnson.	Terrell, Wise.
Lattimore.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.

Warren. Willacy.
Watson.

Nays—4.

Hume. Murray.
Kauffman. Weinert.

Absent.

Hudspeth. Real.

AFTER RECESS.

The Senate was called to order by President Pro Tem. Hudspeth.

FREE CONFERENCE COMMITTEE.

Senator Ratliff offered the following:

I move that the request of House for a Free Conference Committee on House bill No. 142 be granted and that the Senate elect the following on the part of the Senate: Senators Hudspeth, Adams, Johnson, Watson and Willacy.

The above was read and adopted.

SENATE BILL NO. 204.

Action recurred on Senate bill No. 204, the question being on the committee report, there being an adverse majority committee report and a favorable minority committee report.

Senator Mayfield moved to adopt the minority committee report, which motion was adopted by the following vote:

Yeas—17.

Bryan. Perkins.
Carter. Ratliff.
Cofer. Sturgeon.
Collins. Terrell, Wise.
Greer. Townsend.
Johnson. Vaughan.
Lattimore. Ward.
Mayfield. Warren.
McNealus.

Nays—10.

Adams. Paulus.
Astin. Peeler.
Hudspeth. Terrell, McLennan.
Hume. Watson.
Meachum. Weinert.

Absent.

Kauffman. Real.
Murray. Willacy.

The bill, having been read was ordered engrossed by the following vote:

Yeas—17.

Bryan. Perkins.
Carter. Ratliff.
Cofer. Sturgeon.
Collins. Terrell, Wise.
Greer. Townsend.
Johnson. Vaughan.
Lattimore. Ward.
Mayfield. Warren.
McNealus.

Nays—11.

Adams. Peeler.
Astin. Terrell, McLennan.
Hudspeth. Watson.
Hume. Weinert.
Meachum. Willacy.
Paulus.

Absent.

Kauffman. Real.
Murray.

On motion of Senator Mayfield, the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin. Peeler.
Bryan. Perkins.
Carter. Ratliff.
Cofer. Sturgeon.
Collins. Terrell, McLennan.
Greer. Terrell, Wise.
Johnson. Townsend.
Lattimore. Vaughan.
Mayfield. Ward.
McNealus. Warren.
Meachum. Watson.
Paulus. Willacy.

Nays—5.

Adams. Murray.
Hudspeth. Weinert.
Hume.

Absent.

Kauffman. Real.

(Senator Weinert in the chair.)

The bill was read third time and passed by the following vote:

Yeas—17.

Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	

Nays—10.

Adams.	Peeler.
Astin.	Terrell, McLennan
Hume.	Watson.
Meachum.	Weinert.
Paulus.	Willacy.

Absent.

Hudspeth.	Murray.
Kauffman.	Real.

Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 205.

On motion of Senator Carter, the special order of business (Senate bill No. 132) was suspended, and the Senate took up, out of its order, Senate bill No. 205, by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Kauffman.	Real.
Murray.	

The Chair laid before the Senate on second reading,

Senate bill No. 205, A bill to be entitled "An Act to prohibit the drink-

ing of spirituous, vinous or malt liquors, and medicated bitters, capable of producing intoxication, on the premises where sold (in any locality of this State, other than where local option is in force), and providing penalties therefor, and declaring an emergency."

There being an adverse majority committee report and a favorable minority committee report.

On motion of Senator Cofer the minority committee report was adopted.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend page 1, Section 1, of printed bill by inserting after the word "building" in line 23, the following word "enclosure."

The bill having been read, was ordered engrossed by the following vote:

Yeas—17.

Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	

Nays—12.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Kauffman.	Real.
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On motion of Senator Lattimore the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	Mayfield.
Bryan.	McNealus.
Carter.	Meachum.
Cofer.	Murray.
Collins.	Peeler.
Greer.	Perkins.
Johnson.	Ratliff.
Lattimore.	Sturgeon.

Terrell, McLennan. Ward.
 Terrell, Wise. Warren.
 Townsend. Watson.
 Vaughan. Willacy.

Nays—5.

Adams. Paulus.
 Hudspeth. Weinert.
 Hume.

Absent.

Kauffman. Real.

The bill was read third time and passed by the following vote:

Yeas—17.

Bryan. Perkins.
 Carter. Ratliff.
 Cofer. Sturgeon.
 Collins. Terrell, Wise.
 Greer. Townsend.
 Johnson. Vaughan.
 Lattimore. Ward.
 Mayfield. Warren.
 McNealus.

Nays—12.

Adams. Paulus.
 Astin. Peeler.
 Hudspeth. Terrell, McLennan.
 Hume. Watson.
 Meachum. Weinert.
 Murray. Willacy.

Absent.

Kauffman. Real.

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.
 The motion to table prevailed.

REASON FOR VOTING.

We have voted to take up and finally pass these liquor measures (Senate bill No. 204, the quart law and Senate bill No. 205, the Anti-Tippling on the premises bill), because we favor them and having an opportunity of getting them through, we feel it is best to pass the measures through the Senate, though there might be some tactical advantage to the Prohibition cause in setting these measures for some future day.

We do this in the face of and with full knowledge of the repeated published statements, appearing in the daily press, which have not been de-

nied, that as soon as these measures are off the Calendar and passed, some Senators will join the Anti-Prohibition minority, and rescind the rule adopted heretofore by the prohibition majority, by which conference committees are elected by the Senate according to Democratic usage.

We trust these press prophecies are incorrect, and that the fight on the rules will not be brought on.

We at least hope that no Senator will break with the prohibition Senators until all these liquor measures have finally passed the House of Representatives, and been settled in conference between the two Houses and enrolled for presentation to the Governor, and until we have an opportunity of attempting to pass them over the Governor's veto should he veto them, as it is said he will do.

COFER.
 VAUGHAN.
 WARREN.
 TERRELL of Wise.
 LATTIMORE.
 COLLINS.
 JOHNSON.

SENATE BILL NO. 25—REFUSED TO TAKE UP.

Senator Cofer moved that the special order of business (Senate bill No. 132) be suspended, and the Senate take up, out of its order, Senate bill No. 25.

The motion was lost by the following vote, a two-thirds vote being necessary:

Yeas—16.

Bryan. McNealus.
 Carter. Perkins.
 Cofer. Ratliff.
 Collins. Sturgeon.
 Greer. Terrell, Wise.
 Johnson. Townsend.
 Lattimore. Vaughan.
 Mayfield. Warren.

Nays—12.

Adams. Paulus.
 Astin. Peeler.
 Hudspeth. Terrell, McLennan.
 Hume. Watson.
 Meachum. Weinert.
 Murray. Willacy.

Absent.

Kauffman. Ward.
 Real.

SENATE BILL NO. 132.

The Chair laid before the Senate on second reading, and as special order,

Senate bill No. 132, A bill to be entitled "An Act providing for the appointment of official stenographers for district and county courts by the judges thereof, and prescribing their qualifications and duties, and providing for their compensation, and prescribing the time and method of making up and filing statements of facts and bills of exception in cases tried in such courts, and repealing Chapter 39 of the First Called Session of the Thirty-first Legislature of Texas, and all other laws and parts of laws in conflict herewith, and declaring an emergency."

SENATE BILL NO. 15.

On motion of Senator Cofer, the special order of business (Senate bill No. 132) was suspended, and the Senate took up, out of its order, special order, Senate bill No. 15, by unanimous consent.

The Chair laid before the Senate on second reading,

Senate bill No. 15, A bill to be entitled "An Act to regulate the employment of children in mills, workshops, mercantile, mechanical or manufacturing establishments, stores, business offices, telegraphic offices, restaurants, hotels, apartment houses, mines, quarries, distilleries, breweries and any establishment using machinery, and in the distribution or transmission of merchandise or messages, and to provide penalties for the violation of the same."

The bill having been read,

Senator Watson offered the following amendment:

Amend Section 1, lines 17 to 21, by striking out the words "workshop, mercantile, mechanical or manufacturing establishment, store, business office, telegraph office, restaurant, hotel, apartment house," and by adding at the end of said Section "to houses or places used for purposes of prostitution."

Senator Collins offered the following substitute for the amendment:

Amend the bill, page 1, by striking out the words: "workshop, mercantile," and the words "or," in line 17, and all in line 18 after the word "restaurant, hotel and apartment house," in line 19.

Pending discussion, Senator Watson moved to table the substitute, which motion to table was lost by the following vote:

Yeas—12.

Carter.	Meachum.
Greer.	Murray.
Hume.	Sturgeon.
Johnson.	Terrell, McLennan.
Kauffman.	Watson.
Lattimore.	Weinert.

Nays—16.

Adams.	Peeler.
Bryan.	Ratliff.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Hudspeth.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Paulus.	Willacy.

Absent.

Astin.	Real.
Perkins.	

Action then recurred on the substitute by Senator Collins for the amendment by Senator Watson, and the same was adopted by the following vote:

Yeas—16.

Cofer.	Peeler.
Collins.	Ratliff.
Hudspeth.	Terrell, Wise.
Kauffman.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Paulus.	Willacy.

Nays—12.

Adams.	Lattimore.
Bryan.	Murray.
Carter.	Sturgeon.
Greer.	Terrell, McLennan.
Hume.	Watson.
Johnson.	Weinert.

Absent.

Astin.	Real.
Perkins.	

Senator Vaughan offered the following amendment to the amendment as substituted:

Amend the bill by striking out

lines 17, 18, 19, 20 and 21, page 1, and inserting in lieu thereof, as follows:

"About any machinery likely to cause injury to such child or in or about any place where the life or limb or health of such child may be endangered or the morals of such child may be corrupted by the character of the place or the conduct of the work or business therein or in or about any mine, quarry, distillery, brewery or for any person to send any such child for any purpose to any disorderly house, bawdy house or assignation house; or, having the control of such child, to permit him or her to go to any such house."

REFUSED TO ADJOURN.

Senator Watson at 6:15 o'clock, p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Cofer moved, as a substitute, that the Senate recess until 8:30 o'clock tonight.

Action recurred on the longest time first and the motion to adjourn until 10 o'clock tomorrow morning was lost by the following vote:

Yeas—14.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Meachum.	Willacy.

Nays—14.

Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.

Present—Not Voting.

Greer.

Absent.

Perkins. Real.

Senator Cofer then withdrew his motion to recess.

SENATE BILL NO. 15.

Action recurred on Senate bill No. 15, the question being on the substitute by Senator Vaughan for the amendment, as substituted. The substitute was adopted.

Senator Hume offered the following amendment:

Amend the bill by striking out all after the caption and insert in lieu thereof the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. Any person or any agent or employe of any person, firm or corporation, who shall hereafter employ any child under the age of fifteen years to labor in or about any mill, factory, manufacturing establishment, or other establishment using machinery, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars and not more than two hundred dollars, and each day the provisions of this Act are violated shall constitute a separate offense.

Sec. 2. Any person, or any agent or employe of any person, firm or corporation, who shall hereafter employ any child between the ages of twelve and fourteen years (who cannot read and write simple sentences in the English language) to labor in or about any mill, factory, manufacturing establishment, or other establishment using machinery, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars, nor more than two hundred dollars; and each day the provisions of this Act are violated shall constitute a separate offense; provided, that such child who has a widowed mother, or parent incapacitated to support it, may be employed between the hours of 6 a. m. and 6 p. m.; provided, further, that such parent is incapacitated from earning a living, and has no means of support other than the labor of such child; and in no event shall any child between the ages of twelve and fourteen years be permitted to work outside the hours between 6 a. m. and 6 p. m.

Sec. 3. Any person, or agent or employe of any person, firm or corporation, operating or assisting in operating any mine, distillery or brewery, who shall employ any child under the age of sixteen years to labor in or about any mine, distillery or brewery, shall be deemed guilty of a misdemeanor, and upon conviction

shall be fined not less than fifty, nor more than two hundred dollars.

Sec. 4. The fact that there is now no law to prohibit the employment of children of tender age in the factories of the State, to the great injury of the children, and of society generally, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspend, and that this bill be put upon its third reading and final passage; and it is so enacted.

HUME,
WATSON.

REFUSE TO ADJOURN.

Senator Kauffman, at 6:30 o'clock, p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

Yeas—14.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Ratliff.
Hume.	Terrell, McLennan.
Kauffman.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—15.

Bryan.	McNealus.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	

Absent.

Perkins. Real.

SENATE BILL NO. 15.

Action recurred on Senate bill No. 15, the question being on the amendment by Senators Hume and Watson.

Senator McNealus moved to table the amendment.

REFUSE TO ADJOURN.

Pending discussion Senator Murray moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

Yeas—9.

Adams.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—16.

Bryan.	Meachum.
Carter.	Peeler.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.

Present—Not Voting.

Perkins.

Absent.

Real.

PAIRED.

Senator Hudspeth (present), who would vote "yea," with Senator Ratliff (absent), who would vote "nay."

Senator Cofer (present), who would vote "nay," with Senator Astin (absent), who would vote "yea."

SENATE BILL NO. 15.

Action recurred on the pending business, Senate bill No. 15, the question being on the motion to table the amendment by Senator Hume.

The motion to table was adopted by the following vote:

Yeas—13.

Bryan.	Sturgeon.
Carter.	Terrell, Wise.
Collins.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Paulus.	

Nays—12.

Adams.	Murray.
Greer.	Peeler.
Hume.	Terrell, McLennan.
Johnson.	Watson.
Kauffman.	Weinert.
Meachum.	Willacy.

Present—Not Voting.

Perkins.

Absent.

Real.

PAIRED.

Senator Cofer (present), who would vote "yea," with Senator Astin (absent), who would vote "nay."

Senator Hudspeth (present), who would vote "nay," with Senator Ratliff (absent), who would vote "yea."

BILL READ AND REFERRED.

The Chair (Senator Weinert) had referred, after its caption had been read, the following House bill:

House bill No. 88, referred to Committee on Public Health.

BILLS AND RESOLUTIONS
SIGNED.

The Chair, President Pro Tem. Hudspeth, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

Senate bill No. 26, A bill to be entitled "An Act to provide additional compensation to all judges of the district courts, district attorneys of the State of Texas, and to the judge of the Criminal District Court of Harris and Galveston counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency."

Senate bill No. 92, A bill to be entitled "An Act to amend Chapter 69 and Chapter 124 of the Acts of the Regular Session of the Thirtieth Legislature of the State of Texas, as amended by the Second Called Session of the Thirty-first Legislature; said amended Act being known as Chapter 18, and approved May 12, 1909, transferring the county of Bee from the Twenty-fourth Judicial District to the Thirty-sixth Judicial District, and to change the time of holding district court in said Twenty-fourth and Thirty-sixth Judicial Districts, and declaring an emergency."

House bill No. 50, A bill to be entitled "An Act to exempt the county of Starr from the provisions and operations of Articles 5002 and 5042, inclusive, of Chapter 6, Title 102, of the Revised Statutes of 1895, amend-

ed by the Acts of the Twenty-eighth and Twenty-ninth Legislatures, relating to the inspection of hides and animals, and repealing all laws in conflict therewith, and declaring an emergency."

House bill No. 51, A bill to be entitled "An Act to amend an Act of the Thirty-first Legislature, entitled 'An Act to create a Bureau of Labor Statistics, and to provide for the appointment of a Commissioner of said Bureau, and to fix the duties of the said Commissioner and to provide for the organization and maintenance of said Bureau, and for collection, preservation and dissemination of labor statistics in Texas, and declaring an emergency,' so as to provide for the appointment by the Commissioner of Labor Statistics of an Inspector of Safety Appliances, and also to provide for the appointment by such Commissioner of a clerk and a factory inspector and increasing the appropriation for traveling expenses, and declaring an emergency."

House bill No. 111, A bill to be entitled "An Act to create the 'County Court of Bexar county for Civil Cases' to define the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Bexar county, fixing the salary of the judge of the county court of Bexar county for civil cases; providing for the appointment and election of the judges of said court hereby treated, providing for the appointment of special judges and filling of vacancies in said office, and declaring an emergency."

House bill No. 170, A bill to be entitled "An Act to validate the issuance of road bonds in Road District No. 2 of Caldwell county, Texas, and to authorize the commissioners court of said county to pay out any interest and sinking fund collected for \$40,000 road bonds of said district heretofore voted and held to be illegal by the Attorney General; and to authorize said commissioners court to pay out any part of the \$25,000 bond issue of said road district to parties who advanced money to construct roads in said road district prior to the issuance and sale of said bonds; and to require the county treasurer of said county to pay out said funds out of proceeds of the sale of the bonds of said road district on the order of said commissioners court; to repeal all laws in conflict with this Act, and declaring an emergency."

House bill No. 240, A bill to be en-

titled "An Act making appropriations for the deficiencies in the appropriations heretofore made for the support of the State Government for the fiscal year ending August 31, 1911, and declaring an emergency."

House Concurrent Resolution No. 8, providing for the creation of a commission to investigate and report to the Legislature of this State during its present session a bill to fairly compensate employes for injuries received in the course of employment, and defining the duties of said commission and making an appropriation to carry same into effect.

House Concurrent Resolution No. 9, requesting the Attorney General to make investigation relative to the existence of an electrical trust or combination in Texas.

House Concurrent Resolution No. 11, making application to the Congress of the United States to submit to the people an amendment to the Federal Constitution, providing for the election of United States Senators by a direct vote of the people.

House Concurrent Resolution No. 13, requesting the United States Congress to pass the law known as the Scott bill, to prohibit gambling in cotton futures by Boards of Trade and Cotton Exchanges.

House Concurrent Resolution No. 14, a resolution urging Texas Congressmen and Senators to support Congressman Lively's resolution amending the Federal Constitution, etc.

ADJOURNMENT.

On motion of Senator Mayfield, the Senate, at 6:50 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 17, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 266, A bill to be entitled "An Act to create a special road system for Ellis county, Texas, and to repeal all laws in conflict with

this Act, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 204, A bill to be entitled "An Act to prohibit the sale of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication (in any locality of this State other than where local option is in force), in quantities of less than one quart, and prescribing penalties for violations thereof, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 205, A bill to be entitled "An Act to prohibit the drinking of spirituous, vinous or malt liquors, and medicated bitters, capable of producing intoxication, on the premises where sold (in any locality of this State, other than where local option is in force), and providing penalties therefor, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

RESOLUTIONS AND PETITIONS.

By Senators Johnson, Greer and Sturgeon:

Petition numerously signed by citizens of their respective districts asking the Legislature to repeal the law requiring itinerant venders of medicine to pay the large license.

By Senator Johnson:

Petition numerously signed, asking the Legislature to change the present laws so as to eliminate Sunday fairs, shows, races, hunting, fishing, games, sports and excursions.

By Senator Perkins:

Letter signed by J. W. Hickey of Nevada, favoring the enactment of legislation prohibiting the sale of false hair as worn by ladies.

By Senator Hudspeth:

Petition numerously signed by citizens of Val Verde county, Texas, asking the Legislature to amend the present stock law of the State of Texas to determine if live stock shall be permitted to run at large.

By Senator Hudspeth:

Petition numerously signed by citizens of Devine favoring the enactment of the following bills:

A bill making it a misdemeanor for a person to issue a check on a defunct bank account.

A bill imposing a special tax on persons who sell so-called bankrupt stocks of merchandise in towns other than their place of residence.

A bill amending the law so as to specifically define a peddler.

A bill providing a penalty for the operation of trading stamps, premium and discount schemes by promoters, who take this method of levying a tax upon the mercantile and business interests of the State.

A bill providing a means, whereby the telephone and telegraph companies of the State of Texas may be placed under control of a State Commission which shall have the power to regulate service and pass on charge schedules.

By Senator Bryan:

Petition numerously signed by citizens of Palo Pinto county, urging support of the following Farmers' Union measures:

House bill No. 99, and Senate bill No. 23.

House bill No. 124, and Senate bill No. 82.

House bill No. 32, and Senate bill No. 46.

And providing for teaching cotton classes in public schools.

By Senator Cofer:

Letters from Chas. Garner, Secretary of Local Blacksmith's Union No. 14, Denison, Texas, requesting favorable action upon the M., K. & T. Ry. and Texas Central Ry. Co. consolidation measure.

By Senator Lattimore:

Communication from A. C. Best, Secretary of Fort Worth Board of Trade transmitting resolution adopted by the Board of Trade opposing the passage of House bill No. 272, which would exempt Texas Medical University graduates from State examination.

By Senator Vaughan:

Petition numerously signed by citizens of Titus county, requesting support of the Terrell amendment to the I. & G. N. bill, an Act of the Thirty-first Legislature.

By Senators Collins and Terrell of McLennan:

Letters from Mrs. O. L. McKnight, President Fourth District, Texas Federation of Woman's Clubs, asking favorable consideration of the compulsory education and child labor bills.

By Senator Bryan:

Petition numerously signed by citizens of his district, urging passage of an optometry law along the lines of the New York law and that of other states.

By Senator Vaughan:

Petition numerously signed by members of the Baptist, Cumberland Presbyterian and Methodist Episcopal Church, South, churches of Hughes Springs, Texas, memorializing the Legislature to enact the white slave and cigarette bills into laws.

By Senator Sturgeon:

Petition numerously signed by citizens of Paris, Texas, expressing opposition to the enactment of the "Full crew" bill.

By Senator Terrell of McLennan:

Petition numerously signed by citizens of Rockdale urging support for the measure authorizing commissioners' courts to appropriate money to assist the Federal government in the extension of the farmers co-operative and demonstration work among farmers.

By Senator McNealus:

Letter signed by Mrs. R. C. Wynnatt, corresponding secretary of Dallas Free Kindergarten Association urging support of the compulsory education bill.

By Senator Collins:

Resolution passed by the teacher's association of Jasper, Newton, San Augustine and Sabine counties, expressing favor of the measure creating the office of county superintendent in all counties having each 2000 or more scholastic population.

By Senator Terrell of Wise:

Petition numerously signed by citizens of Denton county, expressing opposition to House bill No. 341, making the office of county superintendent of schools local optional, also House bill No. 281, making attendance at county institutes gratuitous.

By Senator Perkins:

Petition numerously signed by citizens of Collin county favoring the M. K. & T. and Texas Central Consolidation bill and urging its passage.

TWENTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,

Saturday, Feb. 18, 1911.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Hudspeth.

Roll call, quorum being present, the following Senators answering to their names.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.
Meachum.	

Absent.

Real. Terrell, McLennan.

Prayer by Rev. Bradfield of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Peeler, the same was dispensed with.

(Lieutenant Governor Davidson in the chair.)

REGULAR ORDER.

The Chair called the regular order of business. (See appendix for committee reports and petitions and memorials.)

INVITATION.

The following was read to the Senate:

Austin, Texas, Feb. 17, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Please have read to the Senate the following invitation:

Dr. W. D. Bradfield, pastor of the First Methodist church, cordially invites the President and members of the Senate to hear his sermon Sunday morning at 11 o'clock.

"Education—A Supreme Concern of Church and State."

Thanking you, and with best wishes, I am,

Truly yours,
W. D. BRADFELD.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, Feb. 18, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 282, A bill to be entitled "An Act to amend Section 6, Article 7, of a Special Act entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' adopted at the Regular Session of the Thirtieth Legislature of the State of Texas, approved on the 27th day of March, 1907, so as to provide that any insufficiency, real or supposed, in the caption to any resolution adopted by the city council of the city of Denison shall not invalidate or otherwise affect any election or proceedings which may have been or which may be held thereunder or the validity of any bonds that may have been or which may be issued by said city, when the record of the proceedings in relation to such bonds shall have been approved by the Attorney General and such bonds registered as provided by law and declaring all bonds issued by said city